IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

HUNTINGTON DIVISION

LISA A. ISSA, Individually, and on
Behalf of a Class of Similarly Situated Persons,

Plaintiff,

v. CIVIL ACTION NO. 3:12-0239

WELLS FARGO BANK, N.A.,

Defendant.

MEMORANDUM OPINION AND ORDER

Pending before the Court is Plaintiff's motion for reconsideration (ECF No. 54) of that portion of the Court's Memorandum Opinion and Order of May 9, 2013, denying Plaintiff's motion to amend the complaint.

Plaintiff argues that the Court should reconsider its Memorandum Opinion and Order because the parties entered into a jointly-agreed scheduling order which continued some of the deadlines in this matter. With this amended scheduling order, Plaintiff claims, there is now sufficient time for Defendant to conduct discovery concerning the proposed amendments. The Court rejects this argument. Although the Court did allow the parties to enter into a new scheduling order, it did not expect the parties to continue the deadlines as much as they did. Furthermore, the Court did not allow entry of a new scheduling order in anticipation that Plaintiff could then point to these new deadlines as a justification for amendment.

The Court also rejects the additional reasons for reconsideration offered by Plaintiff. The Court denied the Plaintiff's motion to amend the complaint because Plaintiff sought amendment

too late. The circumstances of this case as they now exist do not convince the Court to revise its ruling. Therefore, the motion to reconsider (ECF No. 54) is **DENIED**.

The Court **DIRECTS** the Clerk to send a copy of this written Opinion and Order to counsel of record and any unrepresented parties.

ENTER: September 24, 2013

ROBERT C. CHAMBERS, CHIEF JUDGE